

Robert G. Merkich

June 16, 2009

United States Bankruptcy Court
One Bowling Green
New York, NY. 10004-1408
Courtroom 610
Attn: Judge Drain
Reference case # 05-44481

I am a recent Delphi retiree (May 1, 2009) and am requesting that you help correct the outrageous and illegal activity occurring with respect to severance pay to those salaried employees who were recently involuntarily released from Delphi. We were promised severance payments from Delphi based on the number of years worked for the Company. I signed a release of claims form, waiving certain legal rights in return for these severance payments. This is a signed legal contract between Delphi and myself, signed on December 8, 2008 while Delphi is in bankruptcy. These severance payments are a contract liability not a Delphi provided benefit. I believe that I have a valid, binding, legal contract and expect it to be honored, not set aside as a pre-petition claim. I have learned through the recent June 1, 2009 Master Disposition Agreement Article 9.5.11, that Delphi has no intention of paying those severance payments once they exit bankruptcy. I object to this and consider this an act of fraud and breach of contract. Delphi used these severance payments as a way of soliciting older salaried employees to leave the company in lieu of releasing younger employees. Older employees left with the understanding that they would receive these payments. Incidentally, prior to January 1, 2009, employees were paid severance in a lump sum. It is my belief that they never intended to fulfill these obligations, just like they have failed to fulfill the healthcare and life insurance obligations. As you know, they are also planning on the PBGC taking over the Salaried Pension Plan, while they worked out a deal with GM, the Auto Task Force, and Platinum Equity to have GM take over the union pension plan obligations. Hopefully, you will see through this as a way of GM getting Delphi assets in return for taking the union pension plan obligations.

I, and thousands of other Delphi retirees are not asking for anything that we didn't earn or work for our entire lives. We just want to be treated FAIR and EQUITABLE. We believe that is the responsibility of the court.

Robert G. Merkich
Salaried Retiree